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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 IRFAN GOKCE,

10 Plaintiff,

11 v.

12 A. NEIL CLARK *et al.*,

13 Defendants.

Case No. C08-5292FDB

ORDER ADOPTING
REPORT AND
RECOMMENDATION AND
DISMISSING CAUSE OF
ACTION

14 The Court, having reviewed, the Report and Recommendation of Magistrate Judge J. Kelley
15 Arnold, objections to the report and recommendation, if any, and the remaining record, does hereby
16 find and ORDER:

- 17 (1) The Court adopts the Report and Recommendation;
18 (2) Plaintiff has not paid the filing fee. Further, plaintiff has not filed an application to
19 proceed *in forma pauperis*. Accordingly, this action is **DISMISSED WITHOUT**
PREJUDICE for failure to prosecute.

20 The Clerk is directed to send copies of this Order to plaintiff, and to the Hon. J. Kelley
21 Arnold.

22 DATED this 25th day of July 2008.

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25 FRANKLIN D. BURGESS
26 UNITED STATES DISTRICT JUDGE
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